



## **FAIR POLITICAL PRACTICES COMMISSION**

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### **FAIR POLITICAL PRACTICES COMMISSION ENFORCEMENT DIVISION**

#### **MEMORANDUM**

**TO: ANN RAVEL, FPPC CHAIR  
FPPC COMMISSIONERS GARRETT, ESKOVITZ, ROTUNDA AND  
MONTGOMERY**

**FROM: GARY WINUK, ENFORCEMENT DIVISION CHIEF**

**SUBJECT: CAMPAIGN NON-FILER STREAMLINED PROGRAM**

#### **Campaign Non-Filers streamlined program**

The Act requires candidates and committees to file campaign statements at specified intervals disclosing contributions received and expenditures made. (Section 84200 et seq.) Campaign statements are an important tool in elections because they inform the public of who is funding a candidate's or committee's campaign. The Enforcement Division recognized the need to obtain prompt compliance and to deter non-filing while minimizing the impact on Enforcement resources and created campaign streamlined programs. Candidates and committees are provided with an opportunity to stipulate to a lower penalty without the need for an enforcement action through the streamlined settlement procedure where their penalty is much lower than what it potentially could be if they did not participate in the program. Factors to determine if a candidate or committee is eligible for the program include: whether the missed filing was pre or post-election, the amount raised and/or expended by the committee, if they have prior violations of the Act, any aggravating or mitigating factors and whether the violation was intentional, negligent, or inadvertent.

#### **Notification to respondents**

With respect to the filing of campaign statements, the Act requires city clerks, county clerks, and the Secretary of State to promptly notify all candidates and committees that they have failed to file a campaign statement by the specified deadline. The filing officer will notify the candidate or committee that they failed to comply. Notification generally consists of two or more notification letters, followed up by telephone calls or emails by the filing officer. If a candidate or committee fails to comply, the non-filer is referred to the Enforcement Division. (Section 81010 and regulation 18110.) The candidate or committee is then contacted by the Enforcement Division, and two or more letters are sent and telephone calls and emails are made to the public official before compliance has been met.

The streamlined program requires Respondent to comply with filing the delinquent SEI, sign a Stipulation, Decision and Order and agree to pay a minimal fine. The proposed Stipulation, Decision and Order is then presented to the Commission at the next regular meeting for approval.